

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Ricky Antonio Holmes, #931415,

C/A No. 1:19-cv-2983-JFA-SVH

Plaintiff,

v.

Aiken County Detention Center

Defendant.

ORDER

The *pro se* plaintiff, Ricky Antonio Holmes (“Plaintiff”), brought this action pursuant to 42 U.S.C. § 1983 against the Aiken County Detention Center alleging violations of his civil and constitutional rights. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(e) (D.S.C.), this case was referred to the Magistrate Judge for initial review.

The Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”) and opines that this Court should dismiss the amended complaint without prejudice and without issuance and service of process. (ECF No. 12). The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

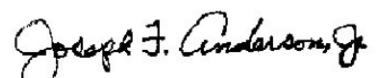
¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b).

Plaintiff was advised of his right to object to the Report, which was entered on the docket on November 13, 2019. (ECF No. 12). The Magistrate Judge required Plaintiff to file objections by November 27, 2019. *Id.* However, Plaintiff failed to file any objections or otherwise respond. In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Therefore, the Report is incorporated herein by reference. (ECF No. 12). Consequently, Plaintiff's amended complaint (ECF No. 8) is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

December 9, 2019
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge